

LAW OFFICES OF
HOLMES WEDDLE & BARCOTT

A PROFESSIONAL CORPORATION

701 WEST EIGHTH AVENUE, SUITE 700 · ANCHORAGE, ALASKA 99501-3408
TELEPHONE (907) 274-0666 · FAX (907) 277-4657

October 19, 2004

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
OCT 20 P 1:05

VIA EXPRESS MAIL

MUR # 5575

Lawrence Norton
General Counsel
Federal Election Commission
999 E Street
Washington DC 20463

Re: *Complaint against Tony Knowles, a candidate for the U.S. Senate from Alaska, the Tony Knowles for U.S. Senate Committee, Leslie Riddle, Treasurer, and Alaska Democratic Party (ADP), Joella Hall, Treasurer*
Our File No. 4079.18035

Dear Sir:

This is a formal complaint to the Federal Election Commission (FEC) concerning the above-named entities. This complaint will demonstrate that the Alaska Democratic Party ("ADP") continues to make, illegal in-kind donations to the Tony Knowles for U.S. Senate campaign ("Knowles campaign") and are making illegal coordinated communications to benefit the Knowles campaign. The Knowles campaign is violating the law by accepting those in-kind donations and illegal coordinated communications.

Attached are copies of mailers being sent by the ADP to thousands of residents in Alaska. As you can see these mailers are printed, machine addressed and use a pre printed Non-Profit Organization mailing permit. There is no portion of this mailing that has been done by volunteers. It was not hand addressed, the postage was not affixed by hand and the material was not placed in an envelope by volunteers. Thus, there was no volunteer component to this mailing.

Under the Commission's regulations at 11 CFR 100.24(b)(2) these mailers are clearly federal election activity since they refer to clearly identified federal candidates and promote or attack a federal candidate. These communications are "public communications" under 11 CFR 100.26 since they are mass mailings. The ADP apparently mistakenly feels that these mailings are not an expenditure under 11 CFR 100.147. However, the exemption does not apply to public

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communications including direct mail. 'Direct mail' means "any mailing(s) by a commercial vendor or any mailing(s) made from commercial lists." Id.

It is apparent that these mailings are done by a commercial vendor---As noted above, there is no evidence of any volunteer activity in connection with these mailings. Therefore, these are "direct mail" as that term is used in 11 CFR 100,147 and not exempt expenditures.

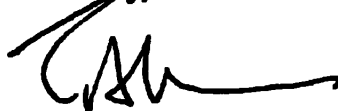
Since these are not exempt expenditures the disclaimer is in violation of the law. Under 11 CFR 110.11(d) the disclaimer must state that is not authorized by any candidate or candidate's authorized committee. The disclaimer on these mailings is not in compliance with the law.

The ADP has already engaged in massive coordinated expenditures on behalf of the Knowles campaign. This year the ADP has spent over \$1,500,000 to elect Mr. Knowles. Thus, it has exceeded its coordinated expenditure limits. The extent of coordination that has been apparent (joint offices, the ADP hiring staff to go door to door to help elect Mr. Knowles and the like) and so it is not possible that these mailings are independent expenditures by the ADP.

This is the latest in a series of clear violations of the Federal Election Campaign Act by the Knowles campaign and the Alaska Democratic Party and your immediate intervention to force these parties to comply with the requirement of the law is essential. I urge you to initiate a formal investigation at once and to issue an appropriate cease and desist order to bring the parties into compliance.

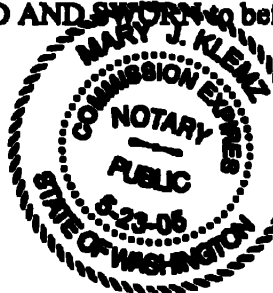
If you have any further questions or desire further evidence of this illegal conduct please let me know

Sincerely,



Timothy A. McKeever

SUBSCRIBED AND SWORN to before me this 19th day of October, 2004.



Mary J. Kleur
Notary Public in and for
the state of Washington
Notary's Printed Name: Mary J. Kleur
My Commission Expires: 5-23-05

TAM:mjk
Enclosures

29044250335

General Counsel
October 19, 2004
Page 3

cc: Knowles for Senate Committee – *via facsimile and U.S. mail*
PO Box 201902
Anchorage, Alaska 99520
Phone: (907) 332-2004
Fax: (907) 646-7719

cc: Alaska Democratic Party – *via facsimile and U.S. Mail*
P.O. Box 231230
Anchorage, AK 99523-1230
Phone: (907) 258-3050
Fax: (907) 258-1626

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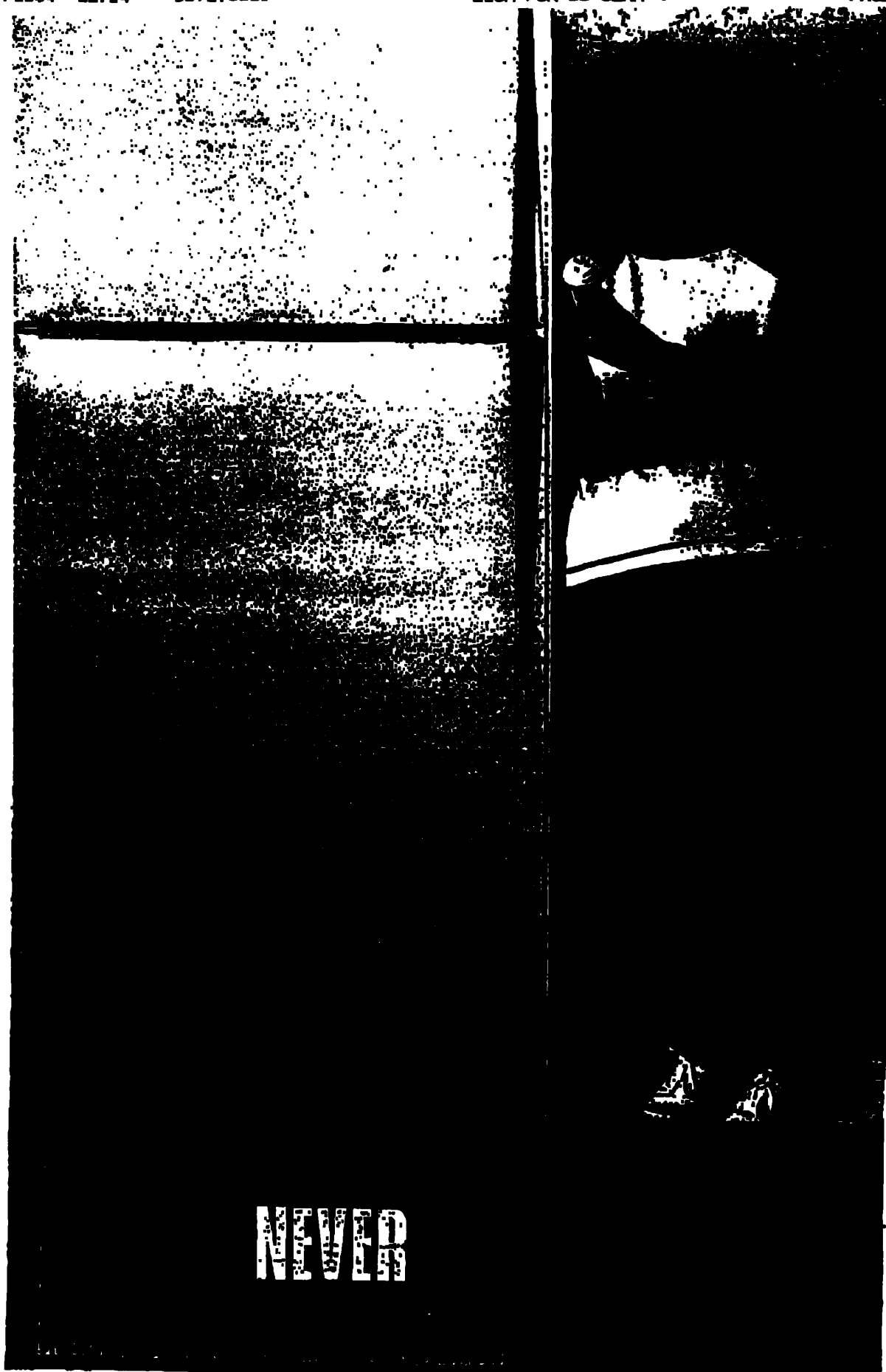
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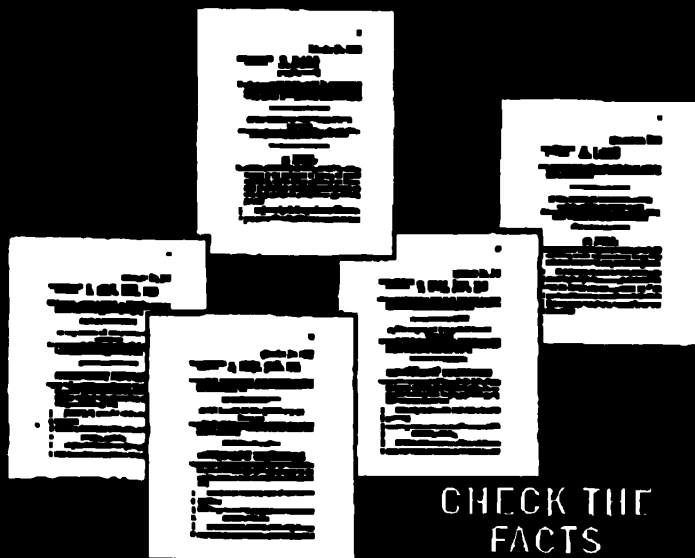


NEVER

...her... decisions in the... was... her... her father... VOTED NO on legislation that would ensure all veterans have access to the health services and prescription drugs they need and deserve.

Her NO votes affected veterans' medical care and prescription drug costs, access to specialists and veterans' facilities, and long-term care for those who have served our country with distinction. But she also VOTED NO to greater access to health care for Reservists, members of the National Guard and their families - although many affected are serving in Iraq.

LISA MURKOWSKI HAS TURNED HER BACK ON THOSE WHO SERVED



...she was surprised. When... Alaska legislature, she... clear record of... NO to veterans. She... to fill 100... with... million... for... and voted against a bill that would give disabled veterans right to be partially exempt from property taxes.

On the issues most important to Alaska veterans and their families, Lisa Murkowski is... that costs

CHECK THE
FACTS

Alaska Democratic Party
P.O. Box 231230
Anchorage, AK 99523-1230

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Tony Knowles

**A Strong, Independent And Effective Leader,
Creating Jobs For Alaska Families**



Over 30,000 New Jobs Were Created While Tony Knowles Was Governor

No one works harder than Tony Knowles at creating good-paying jobs for Alaskans.

The oil and gas industry was revitalized under Knowles' leadership of the state with the addition of new fields like Northstar and Alpine, incentives for marginal fields, and opening the NPR-A for exploration for the first time in a generation. Construction jobs were expanded with the state's record investment in schools and transportation infrastructure. Knowles championed the creation of a new industry in Alaska building modules for the oil and gas fields.

Knowles Stood Up For Fishing, Timber, Oil And Mining Jobs

Knowles created a state water cod fishery, settled the Pacific Salmon Treaty, and took Clinton to court to keep fishing grounds open. His record high state timber sales focused on value-added production that supported jobs at local mills. He invested money in marketing to help Alaska's tourism industry grow. Knowles offered incentives and streamlined permitting, allowing work to begin at mines throughout the state.



**Governor Tony Knowles supports
area-wide leasing**

**Oil Drilling: Governor Unveils Plan
for NPR-A Leasing**

**Knowles files appeal in
Red Dog decision**

WASH. GREENWICH

**Alaska Governor Knowles
Backs Gas Pipeline**

ANCHORAGE DAILY NEWS

State sues over

**Knowles wants funds to
market fish, tourism**

WASH. M. JOURNAL NEWS

29044250340



Tony Knowles Will Continue To Fight For ANWR And The Natural Gas Pipeline

Tony Knowles is a leader in the fight to open ANWR and build the Alaska Natural Gas Pipeline that would create up to 400,000 new jobs. Tony will continue to put Alaska first and stand up to opponents of ANWR and the gas pipeline, regardless of political party and special interests.

Putting Alaska First, Knowles Took Clinton To Court Over Alaska Jobs

Governor Tony Knowles sued the Clinton Administration when intrusive federal meddling in Alaska's affairs threatened jobs at Red Dog Mine, and when they closed Glacier Bay to commercial fishing. When a federal judge shut down the fishing fleet in Kodiak Sound, Knowles took the case to court. The judge ruled in favor of the state, allowing the fleet to resume fishing. Knowles is now suing the Clinton Administration for the economic damage caused by the closure of Glacier Bay.

Northstar drilling waste modules to be built in Anchorage, Fairbanks

Surpasses \$1 Billion In Value

Glacier Bay

Alaska Daily News

Tourism Total Now \$1 billion
Knowles calls visiting industry state's
2nd biggest employer

Alaska Daily News

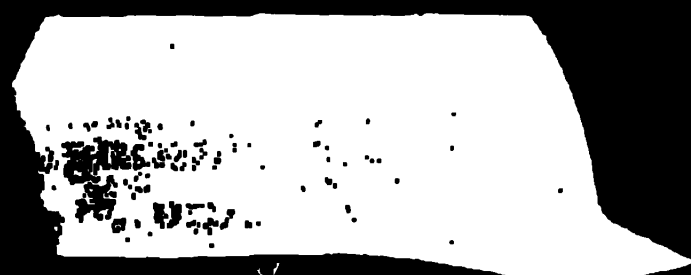
New Nikiski Plant to Offer 250 Oil Jobs

Alaska Daily News

Knowles calls on British Columbia to continue fish farm moratorium

Alaska Daily News

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Alaska Democratic Party
P.O. Box 231230
Anchorage, AK 99523-1230

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On The Issue Of Health Care For Alaska There Are Real Differences Between Tony Knowles And Lisa Murkowski



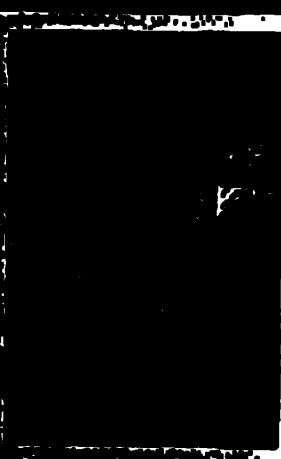
Check
inside for
a factual,
side-by-side
comparison
of their records



10/16/2004 11:33 FAX
10/17/2004 22:14 YW/2/bmbj
LISA FOR US SENATE.

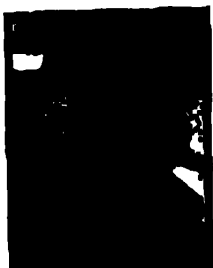


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10/17/2004 22:14 YW/2/bmbj
LISA FOR US SENATE.





Tony Knowles: Working For Lower Drug Costs And Accessible Health Care For Kids, Moms, Seniors, And Veterans



"Health care has always been one of my top concerns – as a parent, small business owner, and as Governor, and it will be at the top of my agenda in the U.S. Senate. Too many Alaskans and Americans are just one serious illness away from disaster – not because they're in poor health, but because they're uninsured and cannot afford health care. I believe health care is a right – not a privilege – and not an issue to ignore any longer."

– Tony Knowles

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